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OFFICE OF PETITIONS

In re Application of :  
Jeffrey H. Hoel : DECISION GRANTING  
Application No. 10/738,918 : PETITION  
Filed: December 16, 2003 :  
Attorney Docket No. :  
07844-255002/P229 C1

This is a decision on the papers styled, "Request To Correct Filing Date," filed June 30, 2004, which has been treated as a petition under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of December 16, 2003, rather than the presently accorded filing date of December 18, 2003.

Petitioners allege that the application was deposited in Express Mail service on December 16, 2003. In support, the petition is accompanied by a copy of Express Mail Receipt No. EV321387654US (the same Express Mail number found on the original application papers located in the official file). The "date-in" on the Express Mail Receipt is illegible, however the receipt is postmarked December 16, 2003 by the USPS.

In view of the above, the petition is GRANTED.

Accordingly, the application is entitled to a filing date of December 16, 2003.

The application is being returned to the Office of Initial Patent Examination for processing with a filing date of December 16, 2003 and issuance of a corrected filing receipt. Thereafter, the application will be forwarded to Technology Center 2600 for examination in due course.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

Edward J. Tannouse  
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